

**COUNCIL
CITY OF PRAIRIE VILLAGE
September 15, 2003
-Minutes-**

The City Council of Prairie Village, Kansas, met in regular session on Monday, September 15, 2003 at 7:30 p.m. in the Council Chambers of the Municipal Building.

ROLL CALL

Council President Bill Griffith called the meeting to order with the following Council members responding to roll call: Al Herrera, Ruth Hopkins, Steve Noll, Greg Colston, Laura Wassmer, Jerry Kelso, Jeff Anthony, Kay Wolf, Diana Ewy Sharp and Patty Markley.

Also present were: Barbara Vernon, City Administrator; Charles Wetzler, City Attorney; Lt. John Walter; Bob Pryzby, Director of Public Works; Doug Luther, Assistant City Administrator; Jamie Shell, Finance Director and Joyce Hagen Mundy, City Clerk.

PUBLIC PARTICIPATION

Mr. Griffith acknowledged two Boy Scouts from Troop 282 who were present working on their merit badges.

Karen Hillelson, 8436 Somerset Drive, thanked the City for responding to her problem with the continued unwanted distribution of the SUN newspaper. She appreciated the City's assistance in addressing this concern.

Nancy Henry addressed the Council on behalf of the merchants at the Prairie Village Shops expressing their concern with the loss of stores. She noted that Village Toy will be leaving the center and that there are currently four vacancies in the shops along Tomahawk. Her big concern is the lack of communication with Highwoods Properties regarding their plans for the center. There have been several different rumors circulating regarding the future of the center. Ms Henry asked for the City's support in retaining the shopping center, which has operated for the past 50 years.

Ruth Hopkins asked if the Prairie Village Merchants Association has met with representatives of Highwoods Properties. Ms Henry responded that they have not been successful in communicating with the corporate headquarters located out of state.

Diana Ewy Sharp asked if the City had met with representatives of Highwoods. Mrs. Vernon responded that arrangements are currently being made to set up a meeting that will involve the Mayor, a Planning Commission member, Bob Pryzby, Ron Williamson, local J.C. Nichols and Highwoods representatives and others.

Al Herrera noted the upcoming chamber coffee that will be sponsored by the Merchants Association and encouraged all Council members to try to attend to show their support of the Center and get further information on the situation.

PRESENTATION

Report on the 2002 Audit

Mr. Drew Blossom and Brad Homant from KPMG reviewed the comprehensive annual financial report for 2002. City staff prepares the Introductory Section of the report. The Financial Section is prepared by KPMG as their independent auditors' report. KPMG found that the general purpose financial states presented fairly, in all material respects, the financial position of the City at December 31, 2002 and the results of its operations and changes in plan net assets for the year in conformity with generally accepted accounting principles.

Mr. Blossom noted that a large amount of activity reflected in the 2002 audit was related to the expenditure and receipt of storm damage funds. Because of the level of funds received by the City, a single audit report was prepared on the federal funds received by the City. KPMG found that the City complied, in all material respects, with the requirements applicable to its major federal program for the year ended December 31; three findings on immaterial matters were addressed in the audit.

Mr. Blossom reviewed the management letter presented to the City Council members relating to the 2002 audit. There were no significant audit adjustments proposed in the current or prior year financial figures presented by the City. The auditors found the City's financial policies and records to be in compliance with general accounting principles and auditing standards. The management letter also addressed the impact on the City of the Governmental Accounting Standards Board (GASB) pronouncement in future years.

Jeff Anthony asked if another single-audit was anticipated for 2003. Jamie Shell responded that it is doubtful, noting that single-audit is required upon receipt of \$300,000 of federal funds.

Bill Griffith asked if the auditors felt the City was ready to meet the GASB requirements. Brad Homant responded that his conversations with Jamie Shell indicate that the City is prepared to meet these requirements. Jamie Shell stated the largest concern was the gathering of the infrastructure information, which has been completed; now the City needs to assess the value and plug them into the financial statements.

Patty Markley stated that she was confident that the storm records kept by Mr. Pryzby and Mr. Shell were extremely thorough. Mr. Blossom responded that the City's records were very good, but noted that in emergency federal programs you often need to take action before clear direction is given on record keeping requirements.

CONSENT AGENDA

Steve Noll requested that item #15 be removed from the Amended Consent Agenda.

Diana Ewy Sharp moved the approval of the amended Consent Agenda for Monday, September 15, 2003 with the removal of item #15:

1. Approve Regular Council Meeting Minutes – September 2, 2003
2. Approve Claims Ordinances #2449 through #2452
3. Approve a short-term special use permit to St. Ann's Church for their annual Fall Festival on Saturday, October 11th from 5:30 p.m. to midnight and Sunday, October 12th from noon to 6:00 p.m. contingent upon the tent meeting the Uniform Fire Code for tents and membrane structures
4. Approve of a short-term special use permit to Creative Balance for a temporary 6' x 3'. promotional banner at 3901 Prairie Lane from September 16th to October 15th
5. Approve the Data Access and License renewal agreement with Johnson County for \$2,864.79
6. Approve the award of bid to Gate City Glass Company, Inc., for \$5632.00 with payment from the City Clerk Operating Budget
7. Approve box lunches, gift certificates and presentation of awards in lieu of the 2003 Holiday luncheon as well as approval of the 2004 Employee Appreciation Dinner to be held at The New Dinner Theater Restaurant
8. Approve the 2004 Public Safety Agreement with the City of Mission Hills
9. Approve the disposal of Asset 0095.1 – Gold Medal Pizza Warmer
10. Approve the request from the Parks & Recreation Committee for a parking lot expansion feasibility study completed by The Affinis Group at a cost of \$2,300 with funding from the Park Capital Infrastructure Program
11. Authorize the Mayor's execution of the proclamation for
Lancer Day – September 19, 2003
12. Approve the engineering agreement with Affinis Corp. to provide engineering services on an as needed basis for 2003 and 2004, with funding from the Public Works Operations Budget and/or Capital Infrastructure Program.
13. Approve Construction Change Order #1 to the contract with Musselman & Hall for Project 190833: 2003 Crack/Slurry Seal Program for an increase of \$20,801.99 with funding from the Public Works Operating Budget
14. Approve the renewal of a facility usage agreement with Johnson County for use of the Community Center for the Senior Nutrition Program at an annual cost of \$1,545.00
15. Removed
16. Approve discontinuing waiving of the initial Animal Registration Fee effective September 15, 2003

17. Approve an increase in the Tree Trimmer/Pesticide Business License to \$60 effective January 1, 2004
18. Increase the Annual License fee for Single-Family Rental Properties from \$45 to \$60 with the Multi-Family Rental Property Fee increasing from \$.008 to .009/square ft. with a minimum of \$60
19. Increase the City's return check charge to \$30
20. Establish a Door-to-Door Solicitation Fee of \$10/solicitor/day.

A roll call vote was taken with the following members voting "aye": Herrera, Hopkins, Noll, Colston, Wassmer, Kelso, Anthony, Wolf, Ewy Sharp and Markley.

Steve Noll asked for a clarification on the Group designations for the reservation fees. Doug Luther responded that Group A includes Prairie Village committees and other governmental entities, city-sponsored programs and homes association meetings. Group B includes non-profit organizations, educational, cultural, recreational, civic or political groups. Group C is for private meetings, seminars and parties.

Jerry Kelso confirmed that the proposed fees are new, noting that he knew of a group that currently meets at the community center, which does not pay any fee.

Steve Noll asked if these groups were being notified of this change. Joyce Hagen Mundy stated the City Clerk's staff will be sending a letter to all regular groups advising them of the change with a reservation form for their 2004 reservations which the City will begin accepting October 1st.

Steve Noll moved to amend the City Fee Schedule for the reservation of the Community Center and City meeting rooms as follows:

Group A	No Fee
Group B	Single use reservation - \$20 flat fee 3-12 uses/year - \$50 flat fee 13+ uses/year - \$5 per hour
Group C	\$20/hour + \$25 non-refundable deposit

Diana Ewy Sharp seconded the motion.

Laura Wassmer noted that she opposes this change as she feels the charge for Group C is too high. A one-hour reservation would be \$45.

Steve Noll questioned the term non-refundable deposit. Doug Luther stated the deposit fee is required to hold the reservation. Fees for Group C are not paid until 48 hours prior to the use with these reservations usually being made a significant time in advance of the event.

The motion was voted on and passed by a vote of 9 to 2 with Wassmer and Herrera voting "nay".

COMMITTEE REPORTS

Insurance Committee

Steve Noll reported that the Insurance Committee met to consider the renewal of the City's worker's compensation policy. The current insurance policy has a \$500 deductible. Renewal of the policy with a \$500 deductible would result in an annual premium of approximately \$188,601. Mr. Noll noted that the high premium results from the City's coverage of "emergency first responders". Mr. Noll reviewed a chart showing different options considered by the insurance committee including the impact of increasing the policy's deductible.

Bob Frankovic, with Cretcher-Lynch recommended the City renew its workers compensation coverage through the State Assigned Risk Pool with a deductible level of \$5,000. The estimated premium cost of coverage with this deductible would be \$171,926.

Steve Noll moved the City Council renew the City's Workers Compensation coverage with Continental Western Insurance through the State Assigned Risk Pool for the 12-month period beginning October 12, 2003 at an estimated premium cost of \$171,926 with policy including a \$5,000 per claim deductible.

Greg Colston asked for a clarification on the premium and net savings reflected on the chart. Mr. Noll responded that the chart reflects estimated savings under different scenarios. Mr. Colston asked what the City's normal level of claims has been. Mr. Noll responded that during the past three years, claims have been relatively low. The City has fifteen current claims.

Diana Ewy Sharp expressed frustration with the ongoing insurance premium increases. Steve Noll responded that as long as providers experience a shortage, they would increase premiums to help pay their costs.

Jeff Anthony noted that the City is taking a positive step in increasing the deductible and creating an environment that may result in better loss experience record and thus lower experience rating.

The motion was voted on and passed unanimously.

OLD BUSINESS

There was no Old Business to come before the Council.

NEW BUSINESS

Ruth Hopkins moved the Council direct Mayor Shaffer to set up a meeting with Highwoods Property corporate officials at their location to discuss the city's concerns with recent developments at the Prairie Village Shopping Center. Laura Wassmer seconded the motion.

Diana Ewy Sharp stated that she believes in taking proper steps and feels it would be more appropriate for the Mayor to meet with local representatives before talking with the corporate staff.

Steve Noll does not feel a meeting would be productive at this time. He acknowledged Mrs. Henry's concerns with the lack of communication, but noted that there have not been any real issues or wrongdoing identified.

Ruth Hopkins stated that over the past years, the newspapers have highlighted areas for concern related to the retail business center within the City that is managed by Highwoods Properties. She feels it is appropriate for the Mayor to meet in a non-confrontational discussion on the future plans for these vital retail centers in Prairie Village.

Laura Wassmer stated the goal of the meeting would be to establish communication and a relationship, and hopefully a partnership between the City and Highwoods that would benefit all.

Jeff Anthony concurs that a relationship needs to be established, but felt that this should begin at the local level and that sending Mayor Shaffer to North Carolina is premature.

Diana Ewy Sharp noted that it is extremely difficult to tell a property owner what to do with their property. She feels the discussion should start with the merchants.

Kay Wolf noted the need to meet first at the local level to get facts and accurate information before sending the Mayor to meet with corporate executives.

Barbara Vernon stated that the City has been meeting annually with Highwoods representatives for the past few years. During the meeting there is general discussion of what is happening, what plans are being made, what is being done to attract businesses.

Jerry Kelso noted that the individual addressing the Council did not give sufficient information to merit the Mayor's involvement.

Laura Wassmer stated that she assumed the Mayor would meet with local officials and gather the necessary information before meeting with corporate representatives. Al

Herrera stated that it may be necessary for the City to meet with the corporate leadership to explain the impact the vacancies at their centers has on the City as a whole.

Ruth Hopkins moved to amend the motion by adding language specifying that the meeting with corporate representatives would follow the Mayor's gathering of accurate information locally from merchants and local Highwoods representatives. Laura Wassmer seconded the amendment. The amendment was voted on and passed by a vote of 9 to 2 with Markley and Noll voting "nay".

Bill Griffith called for a vote on the motion directing Mayor Shaffer to meet with Highwoods corporate officials at their location after meeting with local merchants and Highwoods representatives to gather facts regarding the present status and future plans for the Prairie Village Shopping Center. The motion was voted on and defeated by a vote of 4 to 6 with Markley, Ewy Sharp, Wolf, Anthony, Kelso and Noll voting "nay".

Mission Hills

Lt. John Walter reported on a recent luncheon held by the City of Mission Hills to acknowledge the work of the Prairie Village Public Safety Department during the past year resulting in a significant decline in crime in their city. There have only been four burglaries during the past year in Mission Hills. Lt. Walter noted that it is not only through the effective actions of the Department that this success has been seen. He acknowledged their partnership with the homes associations within the city and the local residents' diligence in protecting their properties.

Jeff Anthony stated that he would like to revisit the communication issues with Highwoods Properties and feels that Kate Michaelis should be involved with this. Mr. Herrera and Mrs. Wolf agreed and suggested that Kate be included in the Mayor's annual meeting with Highwoods representatives.

ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

CCAS Committee Meeting	09/16/2003	7:00 p.m.
Prairie Village Arts Council	09/17/2003	7:00 p.m.
Skate Park Committee	09/22/2003	7:00 p.m.
Tree Board	09/24/2003	6:00 p.m.
Environment/Recycle Committee	09/24/2003	7:00 p.m.
Tree Board	10/01/2003	7:00 p.m.
Policy/Services Committee	10/06/2003	6:00 p.m.
Legislative/Finance Committee	10/06/2003	6:00 p.m.
City Council	10/06/2003	7:30 p.m.

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The Prairie Village Arts Council currently features an exhibit of Senior Arts Council mixed media watercolor paintings in the R.G. Endres Gallery during the month of September. In October an exhibit from Mid-America Pastel Society will be featured in the R.G. Endres Gallery.

Bill Griffith thanked the Council for their participation in the City's 19th Annual Peanut Butter Campaign in support of Harvesters Community Food Network. Collection barrels are located at the Municipal Building, Hen House, Hy-Vee and at area schools and churches.

The 2003 League of Kansas Municipalities Conference will be held October 11 – 14, 2003 in Topeka, Kansas. The conference theme is "Kansas Homecoming". Registrations are due by September 26th. Please let Barbara know if you want to attend.

The Secretary of State, Ron Thornburgh, will hold on press conference at 10 a.m. on Wednesday, September 17th at the Doubletree Hotel in Overland Park to discuss the Kansas Tax Amnesty Program. All local officials are invited to attend. Mr. Thornburgh will be available for discussion after the conference.

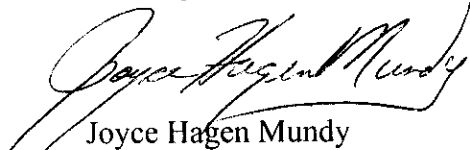
Bill Griffith encouraged Council members to attend **both** the Chamber Breakfast on September 17th at 8:48 a.m. at the Prairie Village Shopping Center and the Northeast Johnson County Chamber of Commerce luncheon on Wednesday, October 1, 2003 at the Holiday Inn in Mission. Prairie Village will be recognized as one of the cities supporting the Northeast Johnson County Economic Development Corporation. Please let Barbara know if you can attend.

The 50th Anniversary books, **Prairie Village Our Story**, are being sold to the public.

ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned

at 8:20 p.m.



Joyce Hagen Mundy
City Clerk